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## GIVE DETAILS OF FATHER'S DEATH

(Continued from First Page.)

greeted his relatives and friends heartily as they entered and stepped to his side.

By 10:30 the crowd had been so augmented that many were standing, and from then until after the noon hour it continued to grow until nearly every available particle of standing room was occupied.

Almost immediately after court was called to order the examination of witnesses began, one more juror being necessary before the calling of witnesses. Considerable trouble was experienced in the examinations for the twelfth man, and the questions asked by both prosecution and defense were direct and searching.

### Examination of Jurors.

T. N. Adams, of Brent, was the first juror called, but was disqualified because he was opposed to capital punishment. C. D. Bonaker, of Pensacola, was likewise disqualified, having a well-defined opinion regarding the case.

R. E. Coleman, the third juror called, answered all the questions asked by the state in a satisfactory manner, but, upon being sharply questioned by the defense, said he had a settled conviction as to who killed John White, but that it would not influence him in the least on arriving at a verdict. Attorneys for the defense objected to the juror for cause and the court, after interrogating the juror, ruled against the objection. Defense then attempted to cross question Mr. Coleman, but the state objected, saying that questioning was not permissible after the court had ruled upon the point. Defense then asked the official stenographer, Miss Minnie E. Kehoe, to read the testimony of Mr. Coleman, which was done. In answer to questions by defense, Mr. Coleman said he had an opinion and that the evidence would have to be strong to affect it. He further said he could not go into the jury box with an assumption of the innocence of defendant. He was then disqualified upon motion of State Attorney Kehoe.

### Jury Secured.

W. C. Kelly, who resides near Century, was the next juror called. Mr. Kelly had an opinion as to the

guilt or innocence of defendant, but believed it would yield readily to the evidence. He knew defendant's family several years ago, but said he did not think that fact would prevent him from giving a fair and impartial trial; could presume defendant innocent until proven guilty; what he had heard on the outside would not affect him in any way.

The juror being satisfactory to the state the entire panel was again tendered.

### Witnesses Not Present.

Counsel for defendant then asked that Dr. J. A. McDonald and Haywood Lowery, witnesses for whom subpoenas had been issued, be called. The former is at present in Millville and the latter was supposed to be in Santa Rosa county, the subpoenas having been sent to the sheriffs of Washington and Santa Rosa counties, respectively, for service. Deputy Sheriff Sanders stated that no return had been made upon the subpoenas, and afterwards, upon order of the court, called the name of each witness three times, reporting no answer in each case. A delay then ensued during which the attorneys for both sides held a consultation.

Attorney E. C. Maxwell, counsel for the defense, stated to the court, in substance, that counsel for the defense had not desired to apply for a continuance at that time, but that such application was necessary, owing to the fact that material witnesses had not been secured.

### Motion for Continuance Overruled.

The state thought that a showing with reference to these two witnesses should be made, and court adjourned for thirty minutes in order to give defense time to prepare the showing. When the court re-convened after the half-hour intermission, another delay ensued while the attorneys for the defense finished the preparation of the showing in the case of the two missing witnesses, but shortly before 1 o'clock the paper was presented to the court, having just been sworn to by Williams. It was objected to as insufficient by the state and the attorneys of the special venire ordered to retire from the court room while the matter was being argued by the opposing attorneys. The motion to continue the case was overruled, after argument, the defense taking an exception to the ruling of the court. C. Moreno Jones, of counsel for prosecution, made an able argument in opposition to the motion, in which he took up the different points in detail, showing that they were insufficient upon which to grant the continuance prayed.

Haywood Lowery, one of the witnesses so much desired by the defense, put in an unexpected appearance while the showing was being prepared and Jas. Farinas was sworn in as balliff during the intermission. The jury was then polled and sworn in and adjournment taken until 3:30 p. m.

### Afternoon Session.

When court was called to order after the mid-day recess a larger crowd was present than at any previous session, a solid mass of humanity filling every available seat and every inch of standing room. Judge Carter, soon after taking his seat upon the bench, instructed the sheriff to announce that any demonstration or expression of approval or disapproval on the part of the audience would be punished, and after this announcement had been made the witnesses in the case were called, as follows:

### For the State.

Dr. E. F. Bruce, Dr. W. C. Dewberry, J. R. Landrum, James White, Edw. White, James Nix, Ernest Elliott, C. P. Bobe, Robert McLeilan, F. B. Bruce, Wm. Ray, M. B. Frank, Andrew Smith, Percy S. Hayes, J. K. Quarles, Henry Jones, Meade Watson, George Douville, G. J. Morgan, N. C. McMillan, Oliver Poul.

These witnesses were sworn and retired out of hearing of the proceedings, and those for the defense were immediately called, as follows:

### For the Defense.

W. H. Murphy, Dr. J. A. McDonald, A. J. Miller, Doc Hannah, Willis Vaughn, (excused), James Jennings (excused), Clyde Adams, Haywood Lowery, Andrew Miller, Mrs. L. E. Williams, Mrs. W. F. Williams, and Gus Soderlund.

All witnesses were instructed not to

talk of the case and remain within hearing distance, so they could be called when wanted. State's Attorney Kehoe then made a short, preliminary address to the jury, and the first witness in the case was called.

### Dr. W. C. Dewberry.

Dr. W. C. Dewberry, the first witness, testified that he had known John White for seven years; that the last time he saw him was at his (White's) store, between 4 and 5 o'clock, on July 18; Mr. White was then dead. Dr. Dewberry said his death had resulted from two wounds inflicted with bullets from a revolver, one of which entered the left side near the heart (indicating place) and the other on the right side of the neck. Either of the wounds was sufficient to have caused death. There was no cross examination.

### Edward White.

Edward White, son of the late John White, was the second witness called. He testified that he was in the store at the time his father was shot. The shooting occurred at 10 minutes to 5 o'clock in the afternoon of July 18, and his father, at the time the shooting occurred, was sitting in a chair reading a newspaper; witness had been in the store for about an hour previous to the shooting. He had seen his father half an hour before he had been killed, and at that time Mr. White had been sitting near the office, located at about the center of the store, reading.

Witness was within four feet of defendant, who fired the pistol shot at your father?

A.—Yes, sir.

Q.—Who was it?

A.—William Williams.

Q.—Do you see William Williams in court?

A.—Yes, sir.

Q.—Point him out, please.

A.—That is he, sitting behind Judge Reeves (pointing to defendant).

Witness could not say what he was doing at the time owing to the excitement following the act of Williams. Williams had passed close to him when he entered the store; had come up the north aisle. Witness saw defendant when he came in and also saw him when he fired the fatal shots.

Q.—Did you hear defendant say anything before he fired the shot?

A.—Yes, sir.

Q.—What did he say?

A.—He said: "I don't give a d—n

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for any of you."

Q.—How soon after he made that remark was the pistol fired?

A.—Immediately.

Q.—Did you see where he got that pistol from—where he drew it from?

A.—I couldn't tell exactly; either from his hip pocket or else had it in his hand by his side.

Witness heard two shots distinctly and had run out the back door immediately after that; he could not swear that more than two shots had been fired. He had remained out about two minutes and found several in the store when he returned. At that time his brother, James White, was holding Williams and his father was still seated in the chair. Edwin Dansby was lying upon the floor. Witness immediately went to his father's side, but the latter could not speak and was evidently dead. He saw the wound and fresh blood and indicated to the jury the location of said wounds. He stated positively that Williams had fired the bullets that caused the wounds. Williams had been working for John White about 5 or 6 years.

Only a few questions were asked by defense in cross examination, but the testimony was not shaken in any particular.

### James White.

James White, eldest son of John White, who was badly injured by Williams at the same time his father was killed, was then called and for the first time since the tragedy his story of the killing was told in detail. Mr. White, after answering the usual questions relative to name, residence, etc., stated that he had last seen his father alive on July 18, 1935. At that time his father was sitting in a chair in the store, 205 South Palafox street, reading a newspaper. The hour was between 4:30 and 5:30. His father had been about the store as usual that day, and had apparently been in the best of health. Witness was in the store when the shooting occurred.

Q.—Did you hear the report of any pistol in that store, and if so at what time?

A.—Between 4:30 and 5:30; I do not remember exactly.

Q.—Where were you at the time the pistol was fired?

A.—I was standing against Mr. Elliott's desk, with my arm on the desk reading a paper.

Q.—How far was that from the chair in which your father was sitting?

A.—I should judge 6 or 8 feet, about a foot and a half to the left.

Q.—Who else was right there?

A.—Mr. Elliott.

Q.—Where was he?

A.—At his desk about three feet from me.

Witness said he did not know where Mr. Dansby was at the time, but that his (Mr. White's) brother was sitting on a bench near his father. At about that time he heard the pistol shots; five shots were fired. The first two had been fired close together, there was a slight intermission between the second and third and the fourth and fifth had been fired close together. When the first shot was fired witness went into the office to a position near the safe but had looked first to see who had fired the shooting.

Q.—Who was it?

A.—William F. Williams.

Q.—Do you see him in court?

A.—Yes, sir, I do.

Q.—Point him out.

A.—(Pointing) That is the man sitting behind Judge Reeves.

Witness did not see who the pistol was pointed at when the first shot was fired, although he looked up immediately after the report. He saw a figure standing in front of his father, but could not distinguish what it was on account of the smoke. The figure afterwards made a few steps and witness saw that it was Williams. Williams had stepped to the west and fired one shot to the southwest, then another shot to the southeast and the fifth shot directly over the desk. Witness was then near the safe in a crouching position. When Williams had fired to the southwest he said "and you" and when he fired the other

shots he said: "And you."

Q.—You couldn't tell who fired the first shot?

A.—No, sir.

Q.—When he fired the other shots you could then see who it was?

A.—Yes, sir.

Q.—Who was it?

A.—William F. Williams.

Witness, although injured by the fifth bullet fired by Williams had grappled with him and called for assistance; Williams had "broken" the revolver in two at the breech for the purpose of reloading, but witness placed his hand on the open breech and prevented the reloading of the gun until help arrived. The struggle lasted about five to seven minutes. Bob McLeilan, Cuyler McMillan, C. P. Bobe and others then came to assistance of witness and McLeilan made a grab for the gun and secured it. The revolver when taken by McLeilan was in the hand of Williams and the hand was held firmly by witness. Witness was unable to identify the revolver with which the shooting was done.

Witness had only remained in the store about five minutes after assistance arrived and was then taken to the office of a physician, and from there to the hospital where he remained thirteen days. He noticed his father when leaving the store, and saw him still sitting in the chair. He did not know of his father's death until several days after it occurred. Neither did he know of the death of Edwin Dansby until several days after it occurred.

Q.—What position were you in when you were shot?

A.—I was almost directly in front of him. I was crouching down against the safe.

Q.—What did he say as that shot was fired?

A.—"And you."

Q.—What was the remark he made when the third shot was fired?

A.—"And you."

Q.—What did he say when the fourth shot was fired?

A.—"And you."

Q.—What did he say when the fifth shot was fired?

A.—"And you."

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A.—"And you."

Witness was questioned at considerable length relative to the connection of William F. Williams with the store of John White, and relative to certain goods which it was alleged that Williams had taken from the store and disposed of in Century. He stated that his father had accused Williams of taking goods from the store, but desired to settle the matter with him quietly.

Witness had spoken to Williams relative to his account at the store which was considerably overdrawn and had endeavored to induce Williams to give security therefor, but without success. He knew that Constable Bobe and Edwin Dansby had been sent to Century to inquire into the matter, but was not advised relative to the results of the inquiry. Witness knew his father had talked with Williams about the alleged theft, but could not say what had passed between them.

Prosecution attempted to specify certain articles which, it was believed, defendant had taken but the court ruled that such testimony was inadmissible and ordered it stricken from the record. Cross examination failed to elicit any additional evidence of importance or to shake the direct testimony of witness.

Upon re-direct examination witness said that the account of defendant was overdrawn about \$32 and that he was also responsible for \$99 worth of goods sold to customers on credit, for which he had assumed liability.

### Ernest Elliott.

The last witness called was Ernest Elliott, employed as bookkeeper at the John White store. Mr. Elliott's

testimony was in a great measure corroborative of the evidence given by Edward and James White. He made a diagram of the store showing the location of the office, safe, desk, etc., and showing where Mr. White had been sitting when the fatal shots were fired and also showing where Mr. Dansby stood when shot and where he fell. Witness also testified relative to the trip of Bobe and Dansby to Century and to the conferences between John White and Williams, but little new evidence was adduced along this line. Witness testified relative to the account of Williams with the store and said Williams had asked him for a statement of the account but he had referred him to James White. Some testimony relative to the alleged theft of goods by defendant was adduced, but the court ruled, as during the testimony of James White, that participation was inadmissible.

### Adjournment.

Court adjourned at 6:30 p. m. to meet this morning at 10 o'clock, when examination of witnesses will be resumed. Although there are a large number of witnesses on the list it is not believed that over half of them will be called upon to testify and it is possible that the prosecution may rest its case before Thursday night.

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